

BILLY J. WILLIAMS, OSB #901366

United States Attorney

District of Oregon

SUSANNE LUSE, OSB #142489

Assistant United States Attorney

susanne.luse@usdoj.gov

1000 SW Third Ave., Suite 600

Portland, OR 97204-2902

Telephone: (503) 727-1000

Attorneys for United States of America

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

OLIVIA TYLER-BENNETT

Case No. 3:16-cv-02300-SI

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

**UNITED STATES' UNOPPOSED
MOTION FOR STAY OF THE
ENTIRE CASE IN LIGHT OF
LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of all deadlines in the above-captioned case. Pursuant to LR 7-1(a), the United States has conferred with opposing counsel, and she does not object to the stay.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice ("Department") expired and appropriations to the Department lapsed. The same is true for several other Executive agencies. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of the entire case until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

5. Therefore, although the United States greatly regrets any disruption caused to the Court and the other litigants, the United States hereby moves for a stay of the entire case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated this 2nd day off January, 2019.

Respectfully submitted,

BILLY WILLIAMS
United States Attorney
District of Oregon

/s/ Susanne Luse
SUSANNE LUSE
Assistant U.S. Attorney
Attorney for the United States